

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

GREG M. ARTZ,	:	Case No. 3:17-cv-231
	:	
Petitioner,	:	Judge Thomas M. Rose
	:	
v.	:	
	:	
NEIL TURNER, Warden,	:	
North Central Correctional Institution,	:	
	:	
Respondent.	:	

**ENTRY AND ORDER OVERRULING OBJECTIONS (DOCS. 13, 16),
ADOPTING REPORT AND RECOMMENDATIONS (DOC. 12) AND
SUPPLEMENTAL REPORT AND RECOMMENDATIONS (DOC. 15),
DISMISSING WITH PREJUDICE PETITION FOR WRIT OF HABEAS
CORPUS (DOC. 1), AND TERMINATING CASE**

This case is before the Court on the Objections (Docs. 13, 16) filed by Petitioner Greg M. Artz ("Artz") to the Magistrate Judge's Report and Recommendations ("Report") (Doc. 12) and Supplemental Report and Recommendations (Doc. 15), respectively. In the Report and Supplemental Report, Magistrate Judge Michael R. Merz determined that Artz's Petition Under 28 U.S.C. § 2254 for a Writ of Habeas Corpus ("Petition") (Doc. 1) should be dismissed with prejudice as barred by the statute of limitations and due to Artz's procedural default.

As required by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has made a *de novo* review of the record in this case. Upon said review, the Court finds that Artz's Objections (Docs. 13, 16) to the Report (Doc. 12) and Supplemental

Report (Doc. 15), respectively, are not well-taken and they are hereby **OVERRULED**. The Court **ADOPTS** the Report (Doc. 12) and Supplemental Report (Doc. 16) in their entirety and **DISMISSES WITH PREJUDICE** the Petition (Doc. 1). Because reasonable jurists would not disagree with this conclusion, the Court denies any requested certificate of appealability and certifies to the United States Court of Appeals for the Sixth Circuit that any appeal would be objectively frivolous and should not be permitted to proceed *in forma pauperis*. The Clerk shall **TERMINATE** this case on the Court's docket.

DONE and ORDERED in Dayton, Ohio, this Tuesday, November 14, 2017.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE